

Staff Variance Report  
For  
October 7, 2014 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“I” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

**Tabled Variances:**

- |          |   |  |
|----------|---|--|
| 14-06-19 | C | <p><b>Midwest Torah Center – South Bend</b> <span style="float: right;">Project #368251</span><br/><i>Code required fire suppression system will not be installed.</i> The first floor will be demolished 2 kitchens, storage, restroom facilities, coat room and multipurpose room additions will be added on. Second story will be added on to and consist of 4 bedrooms, game room, copier room, offices, library/study and restrooms. Minimum of 2 fire extinguishers would be placed in public areas on each floor in view. Heat detectors will be installed in each kitchen. Imposition of the rule would result in a 20% increase in the project.<br/>Are the alternatives sufficient to offset the hazards? What is the total cost of the project? Tabled by Commission for proponent to price a 13D system. Tabled by proponent. Tabled by Commission, no proponent. <b>Tabled by Commission, no proponent.</b></p> |
| 14-07-40 | A | <p><b>Leffler’s Tire Apartment – Peru (<u>all applications are now new</u>)</b><br/>(a) <i>The code requires stair riser heights to be 7” maximum and 4” minimum. The stair tread depths are to be 11” minimum.</i> The request is to have approximately 7 3/8” for the stair riser heights and 10 1/2” for the tread depths. The proponent advises the stairs in question lead to an apartment above the retail tire shop. The only person who will be living in the apartment is his son, who has been living there for 5 years. The proponent states that the local permit was obtained and was approved by the local building inspector and fire department and he was not aware that the project had to be filed with state Plan Review.</p> <p style="padding-left: 40px;">A (b) <i>The code requires toilet rooms and bathing facilities to be accessible.</i> The</p>  |

request is to not have an accessible restroom. The proponent advises the apartment is not accessible and there is no elevator in the building.

C (c) *The code requires a 2-hour fire barrier to separate an M occupancy (retail tire shop) from an R-3 occupancy (apartment).* The request is to not provide the 2-hour fire barrier. The proponent states the floor/ceiling is metal with insulation between the floor of the apartment and the space below along with a 20' space between the floor to the ceiling of the tire store.

C (d) *The code requires a sprinkler system to be installed throughout all buildings with a Group R fire area.* The request is to not sprinkler the building. The proponent advises the apartment is 20 ft above the floor of the tire store with a metal ceiling and is steel I-beam with 20" thick brick walls. The proponent states the hardship is the expense and could result in his son being with nowhere to live except with family or friends.

14-08-2 A **Stair Supplies – Goshen**

*Code required automatic sprinkler system will not be installed in spray booth and spray room.* The building is fully sprinklered. It is Type II construction and the spray room is constructed with a one hour fire separation from the rest of the building. The Goshen Fire Chief sent letter supporting the variance. Tabled to by Commission, no proponent. **Tabled by proponent to provide information on cost of a sprinkler system, information about the existing alarm system and the cost to add heat detectors.**

14-08-27 C  
(b)(c)

**Bulldog Grill – Mentone**

Project # 368121

(b) *The existing building does not have the code required minimum number of compliant exits per Chapter 34.* The proponent advises there will be (2) new exits provided, one in building 101 (corner building) and one in building 103 (mid-block). The proponent is asking that a year from the hearing date be granted to provide the exit in building 101, which is utilized as the bar and grill and two years from the hearing date be granted for building 103, which is utilized for toilet room purposes. The proponent states the hardship is it will cost \$24,750 to install an additional exit in building 101 and \$20,950 to install one in building 103. Tabled at request of proponent to provide more detailed floor plans and cost information. **Tabled by Commission no proponent.**

(c) *Chapter 34 requires passing scores for all categories.* The request is to allow the change of use to exist while construction of required elements to meet Chapter 34 is completed over varying time frames. Tabled at request of proponent to provide more detailed floor plans and cost information. **Tabled by Commission, no proponent.**

14-08-39  
(a)(b)(c)(d)

W  
W

**Moonburn on Morton – Bloomington**

(a) Withdrawn

(b) *The code required elevator for accessible means of egress will not be provided with emergency power backup.* An area of refuge will be provided by stairway landing areas. Hardship is the cost to install and maintain an emergency generator

on site. Previous variances have been granted. Tabled at request of the proponent.  
**Tabled at request of the proponent.**

B (c) Withdrawn

C (d) *Exterior openings will exceed allowable area for openings permitted for fire separation on the 1<sup>st</sup> floor of the east, south and north exteriors walls.* Based on the code, 10% of each exterior wall is permitted to have unprotected openings. Actual openings will be approximately 57% on the east wall and 47% on the south wall, and 14% on the north wall. Proponent states that the opening is not permitted on the north wall due to it being located on the property line. The openings are mostly on the open parking garage exterior walls. The parking garage will be protected throughout with an NFPA 13 fire suppression system. The existing site does not permit increased distance from property lines, area. The exterior openings for the parking garage are needed to meet the natural ventilation requirements for an open parking garage. Tabled at request of the proponent.  
**Tabled at request of the proponent.**

14-08-44 (b) C **Still Waters Camp – Lexington** Project # 366381  
*(b) The code required handrails on a ramp for the girls bathhouse are not installed.* Per the proponent, the ramp is 38" wide, 12'3" long and has a vertical rise of 11 1/4". Adding the required handrails will reduce the required clearance to 33". The estimated cost to re do the ramp is \$ 1,700.00. Tabled at request of the proponent. **Tabled by Commission, no proponent.**

14-08-48 (e) CI **The Foundry at 304 – Bloomington**  
*(e) Clothes dryer ducts exceed the 25' code requirement.* Clothes dryer exhaust ducts based on manufacture's installation and the use of Dryebox will exceed a maximum length of 25'. Per the proponent, Dryebox products reduce the friction typically created at the connections of the dryer, thus allowing a greater overall length. The remainder of the system will be designed based on the manufacture's installation instructions. Owner's hardship is providing a clothes dryer location that will permit a duct length not more than 25'. Table at request of the proponent.  
**Tabled at request of the proponent.**

14-09-01 I **Country Meadow Amish School – South Whitley** Project #361533  
*Incomplete.*  
**Tabled by Commission, no proponent.**

14-09-13 C **Two Concourse at Cross Point – Fishers** Project #366216  
The code requires a fire alarm system employing a DACT to have a back-up system. The request is to not provide the back-up system. The proponent advises the IP monitoring system channel is required to check connection once an hour. The current system checks connection approximately every 30 seconds. The proponent states the hardship is installing a standard phone line that would not

benefit the safety or reliability of the system. What is the hardship of not providing a backup system? **Tabled at request of the proponent.**

14-09-24

(d) C **Fishers Switch – Fishers**  
(d) *The code requires that at least one accessible means of egress in a 4 story building, be an elevator provided with emergency power.* The request is to not provide a standby emergency power generator to the elevator, therefore not providing backup emergency power to the elevator for accessible means of egress. Per the proponent, the building will be sprinklered throughout with an NFPA 13R system. Area of refuge will be provided by stairway landing area. Hardship is the cost to install and maintain an emergency generator on site. Will an extra electrical means be provide to hook up a portable generator? **Tabled at request of proponent.**

14-09-25 CI

**Valparaiso University Sorority Housing – Valparaiso**  
*The code prohibits an elevator from opening into a stair enclosure and further limits door openings to those that are required exits from normally occupied spaces.* The request is to allow a centrally located elevator to open into a center stair enclosure, and the basement mechanical room to have an opening into the enclosure, and an additional door to an electrical room to open into the west stair at the basement level. Per the proponent, the building is classified as R-2 occupancy with Chapter room spaces on the 1<sup>st</sup> floor. The building will be 3 stories in height plus a partial basement. The doors will have a sprinkler located to protect the door openings within each room at the ceiling level and within 12” horizontally of the door. The hardship is that the elevator requires a central location, and due to the compact arrangement of the building, the mechanical and electrical rooms are located in close proximity to the stairs. **Tabled by Commission, incomplete.**

#### New Variances

14-10-01 CI

**Rockport SCR - Rockport**  
VOID

14-10-02 A

**1301 S. Madison Windows - Bloomington**  
*The 1989 Indiana Building Code, the code that was in effect when the building was built, requires dwelling units with basements and every sleeping room below the fourth story, to have a window with a net clear open area of 5.7 sq. ft.,*

*minimum width of 20", minimum height of 24" and a maximum sill height of 44" above the finished floor. The request is to keep the existing clear open area of 4.6 sq. ft., width of 34", height of 19.5", and sill height of 30". The cost to replace the windows will be an undue hardship. Similar variances have been granted in the past.*

- |          |    |  |
|----------|----|--|
| 14-10-03 | B  | <p><b>Vision Academy at Riverside – Indianapolis</b></p> <p><i>The code requires a drinking fountain to be installed at a height of 38" above the floor. The request is to allow the drinking fountain to be at 36" above the floor. The building is a 2-story E Occupancy school for pre-K through 8th grade students. The lack of a 38-inch high drinking fountain in the gym will not be adverse to public safety. The building construction is 100% complete.</i></p>  |
| 14-10-04 | CI | <p><b>CV East LLC – Marion</b> <span style="float: right;">Project #364993</span></p> <p><i>The code prohibits the use of maglocks on means of egress doors. The request is to install an RCI 3360 cushion lock on one half of the double door that leads from the main lobby to the office area. The proponent states the office side of the door will have a trex exit sensor on the ceiling and an emergency manual pull station to disconnect power from the fail safe lock. The hardship is trying to keep the facility safe and secured.</i></p>   |
| 14-10-05 | AI | <p><b>River Forest Elementary – Hobart</b></p> <p><i>The code requires all systems or parts of all buildings and structures to be maintained in conformance with the applicable rules of the commission in effect when the system was installed or altered. The request is to remove outdated fire hoses and nozzles. The proponent states 1½" NST hose connections and caps on the valves will be provided throughout the school so that the fire department can connect their own hoses and nozzles.</i></p>   |
| 14-10-06 | AI | <p><b>Meister Elementary - Hobart</b></p> <p><i>Same as 14-10-05</i></p>   |
| 14-10-07 | AI | <p><b>Evans Elementary – Hobart</b></p> <p><i>Same as 14-10-05</i></p>   |
| 14-10-08 | I  | <p><b>Kimbell Building – French Lick</b></p> <p>Information incomplete</p>   |
| 14-10-09 | B  | <p><b>City Way YMCA – Indianapolis</b> <span style="float: right;">Project #371623</span></p> <p><i>The code prohibits openings in party walls located on a lot line between adjacent buildings, which are used for joint services between two buildings. The request is to allow the opening between the two buildings so that the functional purposes between the different companies can be shared. The proponent advises there will be close spaced sprinklers provided on both sides of each opening at no more than 6'-0" on center, and no more than 12" from the surface of the glazing, along with at least 12" deep draft curtain or bulkhead placed at the opening. The hardship is</i></p> |

there are two different companies in the adjacent buildings that want to share each other's facilities.

- 14-10-10      B      **CityWay Building 9 MOB – Indianapolis**  
*Same as 14-10-09, except different owner and address.*
- 14-10-11      VOID
- 14-10-12      C      **Wabash Instrument Corp. – Wabash**  
*The code requires the fire protection system to be maintained.* The request is to have the water shut off to the fire protection system. Per the proponent, since 1987 the manufacturing operations did not require a sprinkler system. Continued system maintenance would require extensive replacement of piping and valves and a major updating of all the fire sensing and high pressure pump controls. The system is 45 years old. What is the cost to maintain the system? Why do the manufacturing operations not require a sprinkler system?
- 14-10-13      C      **LeMaster Steel Erectors - Noblesville**  
*The code requires an S-1 occupancy over 12,000 sq. ft. to be provided with an automatic sprinkler system throughout the building.* The request is to not install an automatic sprinkler system. Per the proponent, when factoring in the total area of flooring for the mezzanine area above the office area, the total fire area in the building exceeds the 12,000 sq ft limit for non-sprinkled S-1 Occupancy fire area. Actual area is 13,557 square feet. The mezzanine area used for storage will be limited by railing to include an area, when added to the area of the 1st floor of the building, will not exceed the 12,000 sq.ft. fire area limit for an S-1 Occupancy. Based upon the limited area of the actual mezzanine use defined by the railing, the additional area with flooring material will not be adverse to safety. The flooring in the occupied area is desired to remain in place to provide additional soundproofing and closure of the ceiling assembly over the office space. No hardship listed. What kind of storage will be on the mezzanine? How does the rail impact fire safety?
- 14-10-14  
(a)(b)(c)(d)      C      **University of Notre Dame Campus Crossroads Project – Notre Dame**  
(e)(f)(g)(h)      (a) *The code requires means of egress to be calculated on occupant load of the primary space and the number of occupants egressing through it from the accessory area.* The request is to base the occupant load without calculating the accessory area. The occupant load for purpose of egress capacity for the east and west Club Levels will be based upon non-simultaneous occupancy of club seating areas and the associated reception/banquet assembly spaces. The project is proposed as three (3) multi-story buildings surrounding and immediately adjoining the existing football stadium structure. The additions will occur at roughly on axis at the midpoint of each building on the south, east, and west

exterior faces of the existing stadium. The additions will include a Community Center, and Media Center, and Student Center. The club seating areas will be occupied only during football games, at which time there will not be other events occurring in the associated reception/banquet spaces, game-day events occurring in the reception/banquet spaces, these will occur non-simultaneously with occupancy of the club seating areas. During football games, the associated reception areas will be available only to patrons with tickets for the club level areas, and not in general to all patrons. The hardship is the cost to provide additional stair capacity for an occupant load that assumes simultaneous occupancy of seating and the associated reception areas by 2 different groups of people, which will not occur under any circumstances. What is the cost of the project? What is the cost for addition stair cases?

- C (b) *The code requires all systems or parts of all buildings and structures to be maintained in conformance with the applicable rules of the commission in effect when the system was installed or altered.* The request is to permit enclosure of a portion of existing wall openings and extend the enclosure over the top of the existing open-air concourses, ramps, and egress stairs serving the existing seating bowl. Per the proponent, means of egress elements completed as part of the 1997 football stadium expansion were designed as open egress elements per applicable requirements at the time of construction. The affected existing elements will remain essentially open-air, and will not be fully enclosed interior spaces. Enclosed spaces adjoining the existing concourse with combustible contents were with sprinkler protection at the time of the 1997 stadium expansion project. The existing concourse, ramp, and stair elements are fire-resistive concrete construction and without combustible content or finishes. The project objectives, including addition of upper level club seating, cannot be accomplished in their entirety without the proposed impact on the existing stadium.
- B (c) *The code requires 2-hour structurally independent fire walls to separate the additions.* The request is to build the additions without structurally independent fire walls. Per the proponent, a 2-hour fire barrier will be utilized to provide the separation for each of the additions; each addition will be protected with an NFPA 13 fire suppression system. Providing a fire wall at each addition to completely separate both enclosed and open portions of the existing stadium is not practicable due to the nature of the interface of the additions with the existing building. Providing a separation that complies entirely with the horizontal and vertical termination rules for fire walls is equally impracticable for the same reason.
- A (d) *The code requires elevator lobbies be provided at each floor where an elevator shaft enclosure connects more than three stories.* The request is to not provide the lobby vestibules. Per the proponent, a NIST-contracted study of elevator lobbies in tall buildings concluded in part that enclosed elevator lobbies are not necessary in buildings with operational sprinkler systems. Non-rated and/or open elevator lobbies are an important feature of the project. Imposition of the rule would result in reduced plan efficiency on many of the floor levels of each building. A similar variance was granted before, 14-1-48.
- C (e) *The code requires interior exit stairways to be pressurized to a minimum of 0.15 inch of water (37 Pa).* The request is to allow 0.05 inches of water in lieu of

the code requirement. Per the proponent, the design pressure proposed is permitted per NFPA 92A, Standard for Smoke Control Systems, Table 4.4.2.1.1 in buildings protected with an automatic sprinkler system. The stair pressurization system will be designed per NFPA 92A, which provides detailed design criteria beyond the minimum prescriptive requirements in Sec. 909.20, Indiana Building Code. The design pressure difference specified by NFPA 92A will accommodate door opening considerations in the design of the system. Design pressures exceeding 0.05 can create excessive pressure against egress doors into stairs. The State of Indiana has not adopted NFPA 92A.

WD (f) Withdrawn.

C (g) *The code requires vertical shafts to be constructed as a fire barrier.* The request is to not install fire barriers per the code requirement. Per the proponent, the 3-level Rec Sports area in the West Building will have vertical openings connecting all three floor levels not complying with any of the exceptions in Sec. 707.2 for lack of a fire-rated vertical enclosure through floors. The Rec Sports area will include weight and fitness training areas, basketball court, climbing wall, running track, and associated locker and support functions. The vertical openings will be protected by a combination of sprinklered glass wall construction separating floor levels, and bulkhead/sprinkler curtains at the ceiling level where an un-separated floor opening occurs. The Rec Sports area functions as a single 3-story space. Enclosure with fire-rated construction to completely close off each floor from the other would defeat the design intent of providing a vertically arranged space.

B (h) *The code requires that all exit passageway openings in a fire partition be protected in accordance with Section 715.* The request is to allow the fire command center and fire pump room to exit into an exit passageway. Per the proponent, the rooms will be separated from the exit passageway with 2-hour wall construction and 90-minute rated doors. The placement of the fire command center and fire pump room at the proposed location will provide optimal access for the fire department. Imposition of the rule would require placement somewhere else in the interior of the building without providing any additional benefit to safety.

14-10-15

C **Faith Church West Expansion – Dyer**

*The code requires a group A-3 unlimited area building to be one story.* The request is to allow a group A-3 two story building to be classified as an unlimited area building. Per the proponent, the current first floor area is 60,700 sq ft requesting an addition of 30,800 sq. ft. The second floor is currently 25,000 sq. ft. requesting an addition of 30,800 to be considered for an unlimited area two story building. The nature of non compliance stems from the fact that when the proposed two level addition is integrated with the existing facility it would take the exiting building out of code compliance because existing floor to floor height is 14'0. The hardship is the cost to provide a fire wall barrier of 38' high by



360' long. The other option would be to raise the grade two feet and eliminate required doors for two exists and two proposed classroom exits. How does this currently comply as an A-3 with 14' ceilings under the code of record? Is this building fully sprinklered throughout?

- 14-10-16      C      **North American Cold Storage – Woodburn**  
*The code requires that a high piled combustible storage building area greater than 20,001sq. ft and less than 500,000 sq. ft be protected with an automatic fire suppression system. The request is to not install an automatic fire suppression system. Per the proponent, the requirement becomes onerous in cold storage warehousing. The facility will have fewer than ten employees per shift, emergency exits are provided in accordance with a non-sprinklered building. The structure carries a full complement of life safety features, lights, sensors, strobes, and alarms. Unique maintenance problems are associated with fire suppression systems (wet/dry) in minus -20 F conditions. Incongruity between racking system and fire suppression system will cause issues. What is being stored?*
- 14-10-17  
(a)(b)      B      **Upton Artist Lofts at the Warren Building – Michigan City**  
*(a) The code requires a minimum number of independent exits per table 1019.1. The request is to allow exiting from the 7th floor, approximately 1,100 square feet in area, to have access to a single enclosed exit stair. Per the proponent, the 7th floor space will not be finished out as part of the current project, will be locked off from access by residents and other tenants, and will not be used for any purpose, including storage. The eventual plan is to renovate the space for future use as a resident community room for less than 50 occupants - access to a 2nd exit will be provided at that time. The funding in place for the current project does not accommodate the cost of the construction to provide access to a 2nd exit from the 7th floor space. Until such time that the funding is in place for this construction, the space will remain an unused space not accessible to residents or other tenants.*
- B      *(b) The code requires interior exit stairs and ramps to be enclosed with a fire barrier. The request is to allow the front stair to not be enclosed with fire-rated construction at the first floor level, where there is an historic entry lobby. A minimum 18" draft curtain and a sprinkler curtain consisting of close-spaced sprinklers will be provided at the ceiling of the 1st floor above the existing stair to separate the entrance lobby space from the rest of the 1st floor. The State Historic Preservation Division of DNR has requested preservation of the existing historic lobby in its current configuration, (no letter received from DNR).*
- 14-10-18      C      **Swagelok- Proposed Shipping & Receiving Area – Indianapolis**  
*The code requires fire resistance ratings of exterior walls with a fire separation distance greater than 5' to be rated for exposure to fire from the inside only. The request is to not install a fire resistive wall on the new addition. The owner's undue hardship involves the cost and maintenance for a 1-hour rated wall for an unconditioned space. In addition, the parking lot provides more than 60 feet to the adjacent building. Per the proponent, the building is an existing S-2 Occupancy of 17,984 square feet and has existing gantry crane structure of 2,202 s.f., Type IIB*

construction that will be enclosed with siding and a roof to protect employees and product from the weather. The enclosure now requires the North exterior wall to be 1-hour rated construction based on a lot line through the drainage easement which is approximately 5 feet from the new exterior wall. Products stored are noncombustible and adjacent property is a parking lot. Based upon an F-2/S-2 structure, this addition is not an exposure hazard to adjacent property. What are the products being stored and how high are they stored?

14-10-19

D

**Meadow Springs – Medaryville**

*The code requires installation of an NFPA 13 fire suppression system.*

The request is to not install the fire suppression system. Per the proponent, construction design of building will limit risk of fire. Building will be constructed of wood framing, with metal exterior, and fire retardant materials inside. No open flames or other combustible materials will be in the building. Extra doors are planned for quick evacuation, if needed. Large reception hall and kitchen facility are separated by connecting tunnels. Fire retardant materials will be used between kitchen and public areas. Portable fire extinguishers will be accessible in all areas. This new venue will bring jobs, business, and revenue to a small rural community, but the cost of a sprinkler system would put the project in a price range that is not feasible for construction. What is the total cost of the project? What is the total cost of a fire suppression system? Is alcohol served?

14-10-20

C

**Cardinal Container Warehouse Bldg Addition - Indianapolis**

*(a) The code requires a fire hydrant to be provided within 400 feet of a building.*

The request is to allow the hydrant to be approximately 730 feet from the existing fire hydrant. Per the proponent, this is an addition to an existing building which is used for manufacturing, storage, and offices (F-1, S-1, and B occupancies). The existing building is Type IIB Construction, 60,000 square feet, and 1-story. The addition is Type IIB Construction, 40,000 square feet, and 1-story. The addition will be provided with an automatic sprinkler system throughout. The existing building is protected with an automatic sprinkler system throughout. The hardship is the cost to provide a fire hydrant on the site.

B

*(b) The code requires an unlimited area building to be surrounded by public ways or side yards of 60' from the property line.* The request is to have reduced side yard clearances. The building is used for manufacturing, storage, and offices (F-1, S-1, and B occupancies). The existing building is Type IIB Construction, 60,000 square feet, and 1-story. The addition is Type IIB Construction, 40,000 square feet, and 1-story. Close spaced sprinklers will be installed in the new and existing building along the wall that has 30 feet of side yard. It is estimated to cost \$88,170 to construct a structurally independent wall.

- 14-10-21      A      **Franciscan Physicians Hospital – Munster**  
*The code requires this building to be built to seismic design category D. The request is to allow use of seismic design category A for the determination of the design requirements for MEP (nonstructural bracing). Imposition of the rule would cause an additional construction cost in excess of \$350, 00.00.*
- 14-10-22      A      **Lakeland Regional Wastewater Treatment Plant – Warsaw**  
*The code requires that all work be started within one year of the CDR date or the CDR shall expire. The request is to have the CDR extended until March 22, 2015.*
- 14-10-23      A      **Subaru G-Line Press Expansion – Lafayette**  
*The code requires metal roofs of nonresidential buildings to have insulation with a minimal R-value of R-19.0. The request is to provide an R-11.0 value in order to match the existing roof assembly. The proponent advises the addition will add less than 1% roof area to the building. The hardship is having to match up with the existing roof since the roof of the addition would require a thicker insulation. Similar variances have been granted in the past.*
- 14-10-24  
(a)(b)(c)      A      **Southern Food System – Indianapolis**  
(a) *The code requires an eyewash station and emergency shower. The request is to not install the eyewash station and emergency shower. Per the proponent, compliant accessible restrooms are provided on an accessible route within 500 feet of new building. The proposed 2014 IBC will not require eyewash stations or emergency showers. The owner's undue hardship involves the cost for eyewash stations or emergency showers when the proposed code will not require eyewash stations or emergency showers. Requiring restrooms for this building is a hardship as the building is not being provided with sanitary or potable water. How is the building being used?*
- C      (b) *The code requires mechanical ventilation to be provided in a garage. The request is to not install mechanical ventilation. Per the proponent, this is a private garage for the owner of the company with no public access. There will be no maintenance on any of the vehicles just storage only. The Owner's undue hardship involves the need and cost for mechanical ventilation per the IMC that is prescribed under the assumption that this is an enclosed public parking garage with large quantities of vehicles operating. What is the cost the project?*
- A      (c) *The code requires a fire hydrant to be provided within 400 feet of a building. The request is to have the fire hydrant located within 480 feet. Per the proponent, the new garage is to provide security for the company's semi tractors and a personal RV and Boat. There will be a total of 3 semi tractors at any one time stored. The building does not have plumbing and only will be provided with a unit heater. No other storage is proposed for the building just vehicles. The Owner's undue hardship involves the cost to add an additional hydrant that is currently off of a well. The fire protection contractor has stated they would not be permitted by the city to extend a hydrant to the current well and would be require it to be tied into city water. This would require tap fees and excessive cost.*

14-10-25

**Grand Park Indoor Sport and Recreation Facility – Westfield**

D

(a) *The code requires the exit travel distance in A occupancies to be a maximum of 200 feet in buildings that do not have a sprinkler system provided throughout the building.* The request is to have a maximum of approximately 245 feet of exit travel distance. The building is a 371,645 sq. ft. recreation facility. The proponent advises the hardship is the egress travel distance cannot be less than indicated due to the size of the building.

NVR/ C (b) *The code requires corridors in A occupancies to be 1-hour fire rated when the occupant load served by the corridor exceeds 30.* The request is to not rate the first floor egress concourse/corridor in the support structure that is attached to the playing fields. The proponent advises the concourse/corridor is 20 feet wide and provides access to multiple exterior exits. Is this a true corridor?

A

(c) *The code prohibits an A-3 occupancy building of type II-B construction to exceed the allowable height of 55 feet.* The request is to allow the building to be approximately 60 feet. The proponent states the hardship is the height in feet is necessary to permit the playing of soccer and other sports.

D

(d) *The code requires egress stairs in buildings to have an egress width of 0.3 inches per person if a sprinkler system is not provided throughout the building.* The request is to have an egress width of 0.2 inches per person for the egress stairs serving the mezzanine.

14-10-26

A

**Westminster Village – Muncie**

*The code requires a 2 hr fire barrier separation between 2 new additions and the existing non- sprinklered Group I-1 building.* The request is to not build the 2 hr fire barrier separation. Per the proponent, the renovation of the existing building includes new common areas adjoining both additions. Due to limited existing 1st floor area and structural conditions, an NFPA 13 automatic sprinkler system will be installed in the new additions and will be extended into the existing building in lieu of 2 fire barrier walls. Adjoining common areas and corridors in the existing 1st floor will be fully sprinklered per NFPA 13. New 2nd floor addition (sprinklered) will be separated from existing bldg by 2Hr fire barrier. In order to modernize for basic efficiency as well the quality of accommodations, renovations have been planned to open up floor plan conditions as much as possible in spite of existing building limitations.

14-10-27

B

**Star Truck Rentals Addition- Goshen**

*Truck Rentals Addition - Goshen The code requires a setback of 15' minimum from an existing 12,000 gallon diesel fuel tank.* The request is to allow a setback of only 6' from a 12,000 gallon diesel fuel tank. Per the proponent, the proposed addition and the existing building are located more than 60 feet from all property lines. The building is Type II- B construction. Owner proposes to install a freestanding 4-hour masonry fire wall (8" CMU block wall with solid grout) as part of the north wall, 12 feet beyond ends of diesel tank and up to the roof deck. The hardship would be, moving the tank north to accommodate the 15 foot setback requirement would require a temporary fueling tank to be brought on site

while the existing tank is unavailable for use during relocation. Existing tank would need to be emptied before moved. All underground electrical and piping would need to be dug up and extended. Pumping station and light post north of tank would need to be either relocated or eliminated. If eliminated, the business would be left with a single pumping station, down from 3. Existing protective pipe bollards will need to be cut and removed, and new bollards will have to be installed. What is the cost of the project? What is the cost to move the tank?

14-10-28

**Muncie Parking Garage and Connector - Muncie**

- A (a) *The code requires all new additions to comply with the current energy code.* The request is to have a 1,545 sq. ft. connector between the existing convention center and the Arc Hotel that will not comply with the energy code for the envelope. The proponent states due to the amount of glazing that will be used on the connector, the ComCheck building envelope fails by 39%. The proponent advises large amounts of glazing are desired in order to bring light into the connector, as well as enhancing security for patrons using the connector.
- C (b) *The code requires plumbing fixtures to be provided in S-1 occupancies.* The request is to not provide the plumbing fixtures in the parking garage due to the fact that there are plumbing facilities in the adjacent convention center and will be provided in the adjacent Arc Hotel. The proponent states the 2014 Indiana Building Code would not require these plumbing fixtures in S-1 occupancy. Per the proponent, the hardship is the cost to provide plumbing facilities for which there is no public benefit. The building is not otherwise provided with plumbing, and will be used for storage of vehicles for patrons of the adjacent Arc Hotel and Convention Center buildings. How far away from the parking garage are the facilities in the convention center?

14-10-29

**University of Notre Dame Men's Residence Hall - Notre Dame**

- (a)(b)(c)(d) A (a) *The code requires fire-resistance-rated corridors to be continuous from the point of entry to an exit and not be interrupted by intervening rooms.* The request is to allow open corridors on floors 1- 4 between the lounge areas and the halls. The building will be a 4-story + partial basement structure, classified primarily as R-2 Occupancy. Dorm rooms will occur on floors 1-4. Support functions will be provided in the basement and the south wing of the 1st floor. Per the proponent, this request is very similar to approved variances 06-11-47, 07-07-26(b), 08-06-34, 08-12-21(a), 10-11-37(a), 13-11-63(a), and 14-1-37(c) which include university housing projects and other residential occupancy projects. The lounges areas open to the corridor and are an important operational feature, providing a place for residents to socialize outside of the dorm rooms. Similar variance has been granted before.
- B (b) *The code requires penetrations of fire partitions to comply with Section 712.* The request is to allow non rated openings in a corridor walls for study rooms, 3 offices, and a reading room on the 1st floor south wing. The openings will be protected with a sprinkler water curtain consisting of close-spaced sprinklers on the room side designed to deliver a minimum discharge rate of 3 gpm per lineal foot along the glass wall. Similar variances have been granted for projects,

including 12-11-22(e) and 14-1-37(d). Visibility into the rooms from the corridor is an important feature in the design, and will enhance personal safety and security.

A (c) *The code requires automatic door closures on dorm room doors.* The request is to not install automatic door closures. Similar variances have been granted before.

B (d) *The code requires the wall assembly to be tested in accordance with and comply with the acceptance criteria of NFPA 285.* The request is to allow part assembly of a wall assembly to not be tested per NFPA 285. Sec. 2603.5.5, exception 2, 2014 Indiana Building Code, will not require exterior walls containing foam plastic insulation to comply with NFPA 285, in buildings protected with an automatic sprinkler system. The building will be protected throughout with a sprinkler system.

14-10-30

**University of Notre Dame Women's Residence Hall - Notre Dame**

(a)(b)(c)(d) A

(a) *The code requires fire-resistance-rated corridors to be continuous from the point of entry to an exit and not be interrupted by intervening rooms.* The request is to allow open corridors on floors 1- 4 between the lounge areas and the halls. The building will be a 4-story + partial basement structure, classified primarily as R-2 Occupancy. Dorm rooms will occur on floors 1-4. Support functions will be provided in the basement and the south wing of the 1st floor. Per the proponent, this request is very similar to approved variances 06-11-47, 07-07-26(b), 08-06-34, 08-12-21(a), 10-11-37(a), 13-11-63(a), and 14-1-37(c) which include university housing projects and other residential occupancy projects. The lounges areas open to the corridor and are an important operational feature, providing a place for residents to socialize outside of the dorm rooms.

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A (c) *The code requires automatic door closures on dorm room doors.* The request is to not install automatic door closures. Similar variances have been granted before.

B (d) *The code requires the wall assembly to be tested in accordance with and comply with the acceptance criteria of NFPA 285.* The request is to allow part assembly of a wall assembly to not be tested per NFPA 285. Sec. 2603.5.5, exception 2, 2014 Indiana Building Code, will not require exterior walls containing foam plastic insulation to comply with NFPA 285, in buildings protected with an automatic sprinkler system. The building will be protected throughout with a sprinkler system.

14-10-31

**Vincennes University New Student Center – Vincennes**

- C (a) *The code requires fire walls when separating portion(s) of a building to create separate buildings.* The request is to use the existing 12-inch cmu wall to serve as the separation between the existing building area to be sprinklered and the existing non-sprinklered building area. Per the proponent, the existing wall qualifies as a fire barrier only. A sprinkler system will be added to the existing bowling alley and recreation gym. The proponent states providing sprinkler protection throughout the existing building area involves an upgrade of the existing 12-inch cmu wall to provide a 2-hour separation in lieu of a structurally independent fire wall to separate the addition, are a better expenditure of available funds for the project.
- C (b) *The code prohibits additions to a building or structure plus the existing building or structure, to exceed the height, number of stories, or area that is allowed for a new building or structure.* The request is to add a 2-story student lounge, recreation, and gathering area to an existing bowling alley and recreational gymnasium. The proponent states the allowable area for a Type II-B construction A-3 occupancy is 33,345 sq. ft. for the first floor. The existing and the addition will be 38,108 sq. ft. on the first floor. Per the proponent, the addition and the existing building bowling alley and rec gym area included will be sprinklered throughout. The existing building is currently not sprinklered.

14-10-32

**A Sacred Heart of Jesus Catholic Church Addition – Cicero**

*The code requires an automatic sprinkler system to be provided in Group A-3 occupancies that have a fire area that exceeds 12,000 sq. ft. or contains a fire area with an occupant load of 300 or more.* The request is to add 326 sq. ft. to the building, which comprises a 163 sq. ft. pantry on the first floor and 163 sq. ft. vestibule on the second floor. The proponent advises the hardship is providing a 2-hour fire barrier separation for the addition, which would require a mostly opaque door assembly for the vestibule, or an expensive glass door assembly tested for the required 90-minute rating.

14-10-33

**D 9 on Canal - Indianapolis**

*The code does not permit any waste piping to be installed above any eating surfaces in food service establishments.* The request is to allow waste piping to be above a suspended ceiling in a food service establishment. Per the proponent, the waste lines will be above a suspended ceiling. The hardship is the drain lines are installed as part of the build-out for finished areas above the Canal level, and cannot be relocated at this stage of construction. Why can there not be a pan built under the waste lines to protect the waste from going through the ceiling in the event of a failure?

14-10-34

**C Prestige Dry Cleaning – Noblesville**

*The code requires a 3-hour fire barrier when separating an F-1 occupancy into different fire areas.* The request is to provide a 2-hour fire barrier on each side of the F-1 occupancy (dry cleaning tenant space), to separate it from the existing

tenant spaces. The proponent advises the hardship is listed wall assemblies with a 3-hour fire rating are more difficult to construct compared to a 2-hour rating, where access to only one side of an existing tenant wall is provided. Having to install the 3-hour fire barrier would disturb the adjacent tenants. Why can't they accomplish compliance with another listed product?

- 14-10-35      D      **General Rubber Storage – Evansville**      Project # 371323  
*The code requires buildings with high hazard commodities that have a high-piled storage area exceeding 2,500 sq. ft. nonpublic accessible (option 2), to be equipped with a sprinkler system.* The request is to have high-piled storage of 2,816 sq. ft. without a sprinkler system. The proponent states the storage height will be 16' vs. the allowed 20', maximum pile dimension will be 30' vs. the allowed 50'. All the other requirements, draft curtains, heat/smoke vents, and smoke detection will be installed. Per the proponent, the hardship is adding sprinklers to the building would cost over 25% of construction cost. What is the project cost?
- 14-10-36      B      **Ivy Tech Bloomington Ferguson Building Addition – Bloomington**  
(a) *The code requires openings to be 90-minute rated in a 2-hour fire barrier.* The request is to retain the nonrated existing window openings in the existing wall, to be used as a 2-hour fire barrier, to separate the existing 2000 building from the new 2-story, 9,245 sq. ft. culinary lab, and restaurant addition. The building is fully sprinklered. The proponent advises the existing windows are tempered glass, and will be protected by close-spaced sprinklers on each side of the glazing. Sprinklers will be located at the ceiling level within 12 inches horizontally of the glazing. Per the proponent, the hardship is the cost to remove and replace existing windows with fire-rated glazing assemblies.
- C      (b) *The code prohibits accessory occupancies that occupy an aggregate of more than 10% of the area of the story in which they are located.* The request is to have a culinary lab and a small restaurant that is part of the new addition on the first floor of the 2-story building, to be considered as an accessory use. The existing and the addition accessory use, as an aggregate, will be approximately 19.7% of the first floor and will be a total of 24,765 sq. ft., which exceeds the tabular area of 9,500 sq. ft.
- 14-10-37      C      **Historic Bretz Building Reconstruction - Huntingburg**  
*The code requires emergency escape and rescue windows to be provided in basements and sleeping rooms below the fourth story in Group R and I-1 occupancies.* The request is to not provide the emergency escape and rescue windows in the sleeping rooms of the 2 apartments on the second floor. The building is 2-story, Type III-B construction, with a 2,380 sq. ft. retail space on the first floor and 2 apartments with a total of 2,525 sq. ft. on the second floor. The proponent advises the dwelling units will be protected throughout with an NFPA 13D sprinkler system. Per the proponent, the hardship is the construction on the project is 90% complete. It would be difficult and costly to rearrange the layout of



the dwelling units so that the sleeping rooms have emergency escape and rescue openings.

- 14-10-38      A      **United Shade – Elkhart**  
*The code requires testing and maintenance of water based fire protection systems.* The request is to remove the fire hoses due to training and maintenance requirements. Per the proponent, the insurance company has indicated hoses are not required for coverage. Training and maintenance of fire hoses would put an undue burden on United Shade. Cleveland Township Fire Department will not be using fire hoses.
- 14-10-39  
(a)(b)      A      **Battle Ground Intermediate School Reactivation – Tippecanoe**  
(a) *The code prohibits additions to buildings or structures that, with the existing building or structure, exceed the height, number of stories, and allowable area for a new building or structure.* The request is to add two vestibules to the building for security. The total area of the addition is 625 square feet. The proponent states it is cost and operational hardship to provide a structurally independent 4-hour fire wall between the existing building and the vestibule addition. The vestibule is being added to increase the security of the school. Therefore, they want it as open as possible.
- C      (b) *The code requires rooms to be separated from fire rated corridors with 1-hour fire partitions and 20-minute doors.* The request is to not provide doors on the boys and girls restrooms that will separate the corridor from the restrooms. The proponent states there has been identical variances granted in the past. Variance #14-04-30 was granted for a 1,100 sq. ft. boys and girls restrooms addition, with conditions. Per the proponent, the hardship is the use of doors on the toilet rooms would interfere with staffs' ability to visually and audibly supervise students. The existing restrooms being renovated are open to the corridor. What's the length of the openings in each corridor?
- 14-10-40      A      **Meyer Logistics, Inc. Fuel Tank Install - Jasper**  
The code requires that a single capacity above ground tank not exceed 10,000 gallons. The request is to allow an above ground tank to store 12,000 gallons. The use of a 12,000 gallon tank will be allowed in the new 2014, Indiana Fire Code.
- 14-10-41      C      **Mishawaka Central Garage – Mishawaka**  
*The proponent is requesting various points to be permitted for a Chapter 34 analysis, for structurally independent fire walls.* The variance request is to permit a score of +1 in lieu of -55.5 for Building Area in the Fire Safety column, +3.8 in lieu of -55.5 in the Means of Egress column, and +1.8 in lieu of -55.5 in the General Safety column. The building is changing use from a foundry (F-2 occupancy) to a storage and vehicle repair garage with offices (B, S-1, and S-2 Occupancies). The building is 146,070 square feet, Type IIB Construction, and 1-story. Per the proponent, the building is protected throughout with an automatic sprinkler system. The building will be provided with a fire alarm system throughout. Variance 14-09-28(b), Variance 10-01-34(a) and Variance 11-08-22

have been granted, for structurally independent fire walls. The hardship is the cost to install 2-hour structurally independent fire walls in the existing building.

14-10-42 C

**West-Del High School - Gaston**

*The code requires 4 –hour structurally independent fire walls to separate the additions.* The request is to not install an independent fire wall or sprinkler system in the building. Per the proponent, the need is to replace the existing 390 s.f. vestibule with a 509 s.f. vestibule to provide better security access to the school. This allows visitors to enter the office before entering the school's main corridors. The existing 12'x 130' canopy was removed due to structural failure. They wish to provide a new covered walkway 20'x 144' to the south parking area. There are no fire separation walls within the required area to allow the area to increase by code. The school does not want to provide a sprinkler fire protection system for 190,000sf. They estimate the cost to be of \$950,000.

14-10-43

A **Butler University Parking Garage – Indianapolis**

*The code requires parking garages to comply with Table 29 of the Indiana Building Code.* The request is to not include any plumbing fixtures in the parking garage. The 2014 Indiana Building Code will not require such fixtures per Sec. 2902.1.1.

- 15578 NVR **Pistons Pool Room and Apartment – Evansville**  
*The code requires stair riser heights to be 7 inches maximum and 4 inches minimum, with a tread depth of 11 inches minimum.* The request is to use the Chapter 34 to permit the stairs to have a rise of 7 1/2 inches on one flight and 7 5/8 inches on the other flight, with the tread depth on both stairs being 10 1/2 inches. Stair riser heights and tread depths are not required to comply with the Chapter 34. Therefore, no variance is required.
- 15591 C **Brown Elementary School Life Skills - Brownsburg**  
*The code requires egress doors to be readily operable from the egress side without the use of a key or special knowledge or effort.* The request is to allow delayed egress hardware to be installed, Per the proponent, the hardware will meet the requirements of 1008.1.8.6 .Two recently renovated special education classrooms are each equipped with an exterior door to meet the required two means of egress from each space. The door will be re locked manually. A similar variance had been approved, 13-10-48. Provisions of the delayed egress feature will permit staff to reach the students and ensure their safety, before the students are able to exit the building unsupervised.
- 15606 C **Elmwood Trails – Kokomo**  
*The code requires an NFPA 13R sprinkler system, for an R-3 occupancy.* The request is to install an NFPA 13D system in lieu of a 13R system. This is a new R-3 Occupancy congregate living facility that consists of two buildings containing 4- bedrooms of 2,611 s.f .and one 3-bedroom building of 1,910 s.f. The owner's undue hardship involves the cost of a NFPA 13R system. What is the total cost of the project? What is the cost difference of installing a NFPA 13D in lieu of a 13R?
- 15607 B **Clifton Square - Indianapolis**  
*The code requires opening protections in a stair enclosure to be rated in accordance with Section 715.* The request is to allow the penetrations in a corner of a stairway enclosure. Per the proponent, the 2-hour stair enclosure location in a new senior residential community building will be penetrated by elevator equipment lines from elevator hoist-way and communication lines from bridge connector. Listed fire stopping systems will be utilized for each penetration. The owner's undue hardship involves the cost to provide alternate locations for the elevator equipment lines and communication lines such as trenching under slabs etc. Violation was written prior to completion of building. If it is properly fire stopped and enclosed then staff recommendation is NVR.
- 15611 C **Alberto's Smokin Butt Bar B Que Remodel – Corydon**

*The code prohibits openings in exterior walls where the fire separation distance is 3' or less from the adjacent exterior wall.* The request is to have a 30" wide x 6'5" height opening in the exterior walls of two restaurants that are 2' apart. The wall width inside is 19'+/- with a ceiling height of 12'-0". Approximately 7.1% of the wall would be open. The opening will serve as a connector between the two restaurants. The proponent advises that the connector is not close to a public walkway. Exterior walls of both buildings are masonry. Per the proponent, preventing this connection would cause the owner to conduct business outside his premises, forcing customers and employees outdoors to move between the two spaces. No alternatives are offered.